

## CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input checked="" type="checkbox"/> Other:	5. DATE OF REQUEST: 4/27/17	NEED RESPONSE BY: 5/15/17
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Lake County Department of Social Services	
3. PHONE NO.:	7. SUBJECT: Household Concept - Ex Spouse in home	
4. REGULATION CITE(S): MPP 63-402	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  Para reg 240-6B Para reg 241-1	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):
- Scenario: Divorced mother applied for CalFresh in 2015 for herself and her teenage daughter. She reported to have recently moved in to the home of her ex-spouse and father to her child. They were divorced in 2005. She maintained her own residence for ten years. We have documentation on file to verify this. In 2015 when she applied a Program Manager Permitted separate household status to the mother and child because the household had customarily purchased and prepared their meals separately. She stated their was good cause due to circumstances beyond the households control and since they maintained a separate residence for a number of years that the ex husband was not required to be a part of the CalFresh household even though they have a mutual child.
- I recently sent SIU to check whether or not this household is living as a couple. He states they are not and that the ex will be moved out of the home by the end of this month. The investigator also believes they are truly separate households and they Purchase and Prepare separately. See Question on 2nd page

10. REQUESTOR'S PROPOSED ANSWER:
- Unsure. All records for this case show that the household does not hold themselves out as a couple. They maintained a separate residence for many years and customarily do not purchase and prepare together. This has been verified by an investigator. However, regulations state that separate household status cannot be given to a parent living in the same home as their biological/adoptive parent.

11. STATE POLICY RESPONSE (CFPB USE ONLY):
- Edited: In this scenario, because the client reported living with her ex-husband and their mutual child, his income must be included in the CalFresh budget even though the family does not purchase and prepare food together.
- Per MPP 63-402.142 – Separate household status shall not be granted to parents living with their natural, adopted or step children.
- An Administrative OI should be established for the time that the client was living with her ex-spouse.

### FOR CDSS USE

DATE RECEIVED: 5/24/17	DATE RESPONDED TO COUNTY/ALJ: 6/7/17 SS 10/3/17 SS
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**CALFRESH (CF) PROGRAM**  
**REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

<b>1. RESPONSE NEEDED DUE TO:</b> <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input checked="" type="checkbox"/> Other:	<b>5. DATE OF REQUEST:</b> 4/27/17	<b>NEED RESPONSE BY:</b> 5/27/17
<b>2. REQUESTOR NAME:</b>	<b>6. COUNTY/ORGANIZATION:</b> Lake County Department of Social Services	
<b>3. PHONE NO.:</b>	<b>7. SUBJECT:</b> Household Concept- Ex-Spouse in home	
<b>4. REGULATION CITE(S):</b> MPP 63-402	<b>8. REFERENCES:</b> <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  Para reg 240-6B Para reg 241-1	

Should an administrative error over-issuance be created from the time aid began in 2015 due to the ex spouse being in the home with a mutual child? He would be added back to the time of application and his income would be needed for the applicable time frames even though he was never requesting aid. Are there any exceptions made on the basis of good cause and what the household customarily did prior to the change in living arrangements?

The household concept will change moving forward due to the ex-spouse no longer living in the home. It is the previous two years since 2015 that the mother and child received CalFresh without the ex-spouse and his income being included that are in question.